

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

JUDY WILLIAMS, individually and on behalf of  
all others similarly situated,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendant.

No. 07 CV 6342  
Judge Der-Yeghiayan  
Magistrate Judge Valdez

## JOINT JURISDICTIONAL STATUS REPORT

Plaintiff Judy Williams (“Plaintiff” or “Williams”) and Defendant Wells Fargo Bank, N.A. (“Wells Fargo” or “Defendant”), by their undersigned counsel, having conferred, respectfully submit this Joint Jurisdictional Status Report.

**I. Subject Matter Jurisdiction.**

This Court has federal question jurisdiction under 28 U.S.C. §§ 1331 and 1343, as Williams alleges claims under the Fair Housing Act, 28 U.S.C. § 3601, *et seq.* (Class Action Complaint, Docket # 1, “Compl.” ¶¶ 70-79), the Equal Opportunity Act, 15 U.S.C. § 1691, *et seq.* (Compl. ¶¶ 80-89), and the Civil Rights Act, 42 U.S.C. §§ 1981, 1982, *et seq.* (Compl. ¶¶ 90-94).

## II. Venue (Plaintiff's Position).<sup>1</sup>

Under 28 U.S.C. § 1391(b), venue is appropriate in this district and division because (a) Defendant resides in this district and this division, (b) a substantial part of the events or omissions giving rise to Plaintiff's claims occurred in this district and this division, and (c) a substantial part of property that is the subject of this action is situated in this district and this division. *See* Compl. ¶ 20.

Jurisdiction here is based on 28 U.S.C. §§ 1331 and 1343, not diversity of citizenship. Accordingly, the provisions of 28 U.S.C. § 1391(b) apply, which provide, in relevant part, as follows:

A civil action wherein jurisdiction is not founded solely on diversity of citizenship may, except as otherwise provided by law, be brought only in (1) a judicial district where any defendant resides, if all defendants reside in the same State, (2) [or] a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of the action is situated. . . .

In addition, Defendant is a corporation. Under section 1391(c), "a defendant that is a corporation shall be deemed to reside in any judicial district in which it is subject to personal jurisdiction at the time the action is commenced." This action was commenced on or about November 8, 2007, and Defendant was subject to personal jurisdiction in this district at that time.

For example, Defendant's website describes itself as follows:

We are a big company. We're the largest financial institution headquartered in the western U.S. We span all of North America. Our stock market value exceeds \$110 billion. Forbes ranks us as the world's 26th leading company based on a composite of sales, assets, profits and market value. We're in the top 20 among all U.S. companies in profits and market value. We're one of

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<sup>1</sup> Pursuant to the Court's Standing Order, this section was prepared solely by the Plaintiff and contains Plaintiff's representations only.

America's 40 largest private employers, with more than 155,000 team members . . . .

See "The Vision and Values of Wells Fargo," attached hereto as Exhibit A (available at Defendant's website). Not surprisingly, as such a large company, Wells Fargo resides in Illinois, has significant contacts with Illinois and has "purposely avail[ed] itself of the privilege of conducting activities" in this District such that it "should reasonably anticipate being haled into court" here. *Burger King Corp. v. Rudewicz*, 471 U.S. 462, 474-75 (1985). For instance, a search of the Wells Fargo website for mortgage branches in Chicago alone (which, of course, is in the Northern District of Illinois, Eastern Division) reveals five locations. See "Mortgage Branches Near You," attached hereto as Exhibit B (available at Defendant's website).

Moreover, Defendant concedes that venue is appropriate in its Answer to the Complaint (Docket # 27, ¶ 20). Likewise, Defendant recently filed a motion to transfer all actions similar to the above-captioned action to this District. See *generally*, Memorandum in Support of Motion of Wells Fargo, N.A. Under 28 U.S.C. § 1407 to Transfer for Consolidated and Coordinated Pretrial Proceedings.

Finally, a substantial part of the events or omissions giving rise to Plaintiff's claims occurred in this district and division, and a substantial part of property that is the subject of this action is situated in this district and division. For example, on June 29, 2006, Plaintiff purchased a condominium unit located at 1360 E. Madison Park, #B, Chicago, Illinois. See Affidavit of Judy Williams (attached hereto as Exhibit C), at ¶ 2. In addition, as part of the events alleged, Plaintiff contacted a Wells Fargo agent while she was living in Chicago. See *Id.* at ¶ 3; Compl. at ¶¶ 13-17. Further, Plaintiff currently resides at 1360 E. Madison Park, #B, Chicago, Illinois. See *Id.* at ¶ 2. In sum, Plaintiff was in Chicago throughout the events alleged in her Complaint. See Compl. at ¶¶ 13-17; 70-94.

Dated: January 11, 2007

Respectfully submitted,

JUDY WILLIAMS,  
*Plaintiff*

WELLS FARGO BANK, N.A.,  
*Defendant*

By: /s/ Steven P. Schneck  
One of her attorneys

By: /s/ David Z. Smith  
One of Its Attorneys

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***Lead Trial Attorneys***

# EXHIBIT A



## The Vision & Values of Wells Fargo

Our product: SERVICE. Our value-added: FINANCIAL ADVICE. Our competitive advantage: OUR PEOPLE

by Richard M. Kovacevich  
Chairman



### The "Next Stage" : Going from Good to Great

This is about the "Next Stage" for you and our company. It's about who we are, where we're headed and about how you—as a valued Wells Fargo team member—can help us get there and share in our collective success.

We are a big company. We're the largest financial institution headquartered in the western U.S. We span all of North America. Our stock market value exceeds \$110 billion. *Forbes* ranks us as the world's 26th leading company based on a composite of sales, assets, profits and market value. We're in the top 20 among all U.S. companies in profits and market value. We're one of America's 40 largest private employers, with more than 155,000 team members. We'll continue to grow—not to become bigger but as a result of getting better.

Regardless of how big we are and how much territory we cover, we share, as one team, certain values that hold us together wherever we are and whatever we do. It doesn't matter what our responsibilities are, our levels or titles, what businesses we're part of, or where we live and work. We all should know our vision. We all should know how we contribute to achieving that vision. We all should be passionate about our values and share them with others. We believe everyone on our team is important and deserves respect. We believe everyone contributes to Wells Fargo being known as one of America's great companies.

[Next](#)

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# **EXHIBIT B**

**WELLS FARGO**

**HOME MORTGAGE**

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Investing

Planning Centers

Home Mortgage

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Applying for a Loan

Homebuying

Refinancing

Your Account

View All Loans and Credit

## Mortgage Branches Near You

Here are the mortgage branches closest to the address or zip code you entered.

Home mortgage consultants often work from satellite offices that may be closer to you than the nearest branch office. Please call the branch office for information on any additional facilities.

**Chicago, Illinois**

**Distance 0.22 miles**  
123 N. Wacker Dr. Suite 1100, Chicago, IL 60606  
Phone: 312.592.5621 Fax: 312.592.5698  
[www.wfhm.com/pmbchicago](http://www.wfhm.com/pmbchicago)  
[Map Directions](#)

**Distance 0.83 miles**  
211 E Ontario, Suite 1100, Chicago, IL 60611  
Phone: 312.255.3188 Fax: 312.264.5462  
[Map Directions](#)

**Distance 0.83 miles**  
211 E. Ontario Street Suite 1100, Chicago, IL 60611  
Phone: 312.255.3165 Fax: 312.335.8191  
[www.wfhm.com/adowntownchicagobranchil](http://www.wfhm.com/adowntownchicagobranchil)  
[Map Directions](#)

**Distance 0.83 miles**  
211 E ONTARIO ST, CHICAGO, IL 60611  
Phone: 312.255.3160  
[www.wfhm.com/adowntownchicagobranchil](http://www.wfhm.com/adowntownchicagobranchil)  
[Map Directions](#)

**Distance 3.52 miles**  
2742 N Lincoln Ave, Chicago, IL 60614  
Phone: 773.529.5252 Fax: 773.929.0313  
[www.wfhm.com/lincolnparkbranchil](http://www.wfhm.com/lincolnparkbranchil)  
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# EXHIBIT C

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

JUDY WILLIAMS, individually and on behalf of  
all others similarly situated,

Plaintiff,

v.

WELLS FARGO BANK, N.A.,

Defendant.

No. 07 CV 6342

Judge Der-Yeghiayan

Magistrate Judge Valdez

**DECLARATION OF JUDY WILLIAMS**

I, Judy Williams, declare under penalty of perjury this 9th day of January, 2008 as follows:

1. I am over eighteen years old.
2. On June 29, 2006, I purchased a condominium unit located at 1360 E. Madison Park, #B, Chicago, Illinois, financed by Wells Fargo. I currently reside at this address.
3. I contacted Wells Fargo about financing the purchase of my condominium unit while I was living at 5140 South Hyde Park Boulevard, Apt. 9D, Chicago, Illinois, where I resided since July, 2005.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury under the law of the United States of America that the foregoing is true and correct.

Executed this 9th day of January, 2008 at Chicago, Illinois.

  
\_\_\_\_\_  
Judy Williams

**CERTIFICATE OF SERVICE**

I, Steven P. Schneck, one of the attorneys for plaintiff, hereby certify that a true and correct copy of the foregoing *Joint Jurisdictional Status Report* was served by facsimile on the 11<sup>th</sup> day of January, 2008, on the following counsel of record:

Robert D. Phillips, Jr.  
REED SMITH LLP  
Two Embarcadero Center  
Suite 2000  
San Francisco, CA 94111-3922  
fax: 415-391-8269

and on the following counsel of record via the ECF system of the Northern District of Illinois:

David Z. Smith  
REED SMITH LLP  
[dzsmith@reedsmith.com](mailto:dzsmith@reedsmith.com)

/s/ Steven P. Schneck  
Steven P. Schneck